

UNITED STATES DISTRICT COURT  
OF THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

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UNITED STATES OF AMERICA, and the  
STATES OF CALIFORNIA, CONNECTICUT,  
DELAWARE, FLORIDA, GEORGIA, HAWAII,  
ILLINOIS, INDIANA, LOUISIANA,  
MASSACHUSETTS, MICHIGAN, MINNESOTA,  
MONTANA, NEVADA, NEW HAMPSHIRE,  
NEW JERSEY, NEW MEXICO, NEW YORK,  
NORTH CAROLINA, OKLAHOMA, RHODE  
ISLAND, TENNESSEE, TEXAS, VIRGINIA,  
WISCONSIN, THE DISTRICT OF COLUMBIA,  
and THE CITY OF CHICAGO,  
*ex rel.* FRANK KURNIK,

No: 3:11-cv-01464-JFA

FILED UNDER SEAL

PLAINTIFFS,

v.

AMGEN INC., et al.

DEFENDANTS.

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**ORDER OF DISMISSAL OF THE STATES' CLAIMS  
AGAINST DEFENDANT AMGEN INC.**

Pursuant to Federal Rule of Civil Procedure 41(a)(1), and in accordance with the State Settlement Agreements, dated April 2, 2013, between the States, relator Frank Kurnik ("Relator") and Amgen Inc., Relator filed a Stipulation of Dismissal of the States' Claims Against Amgen.

By order dated April 15, 2013, this Court partially lifted the seal in this matter to permit public reference to the existence of this case, the identity of the relator and defendant Amgen Inc., the allegations against defendant Amgen Inc., and the dismissal of the allegations on behalf of the United States against Amgen Inc., including reference to an April 3, 2013 Settlement

Agreement between the United States, relator and Amgen. The Court further ordered that a redacted version of relator's complaint this Notice be unsealed.

Upon due consideration of the Stipulation, the Order of April 15, 2013, and papers filed in this action,

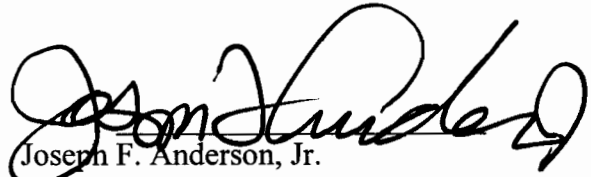
IT IS ORDERED that

1. All civil monetary claims asserted on behalf of the States of California, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, and Wisconsin, the Commonwealths of Massachusetts and Virginia, and the District of Columbia, (collectively, the "States") against Amgen concerning the Covered Conduct as defined in Paragraph E of the Settlement Agreements shall be dismissed with prejudice;
2. Any other claims in the complaint asserted on behalf of the States against Amgen shall be dismissed without prejudice to the States;
3. All claims asserted by Relator in the complaint, against Amgen, to the extent not already dismissed by prior Order of the Court, shall be dismissed with prejudice to the relator;
4. No claim or allegation other than those specifically identified in the stipulation and herein shall be dismissed at this time. This Order has no effect on claims or allegations against any other defendants; and

5. The Stipulation of Dismissal of the States' Claims Against Amgen Inc. and this Order may be unsealed.

IT IS SO ORDERED.

August 1, 2013  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge